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**Minutes**

**Meeting of the  
Board of Elevator Regulations  
January 18, 2022 at 1:00 p.m.**

**Microsoft Teams meeting**

**Board Members Present:**

Eric Morse, Acting Chairman  
Christopher Towski  
David Gaudet  
Thomas McDermott  
Neil Mullane  
Brian Ronan

**Division of Occupational Licensure Staff:**

Peter Kelley  
Ruthy Barros  
Sarah Wilkinson

**Board Members Absent:**

David Morgan

**Guests Present:**

Matthew Galezowski  
Jerry Mayse  
Ryan Astrup  
Patrick Flaherty  
Maria Bauza  
AJ Jenkins  
Tara Grosman  
Russ Larson  
Debbie Prince  
Paul Hart  
Brent Lewis  
Kevin McGettigan

Call to Order: 1:10 p.m.

The Board discussed the following:

1. **40 Martin Street – Melrose, MA [Exhibit 6]**

**State ID: 178-P-59**

**524 CMR 2018 35:00 §2.8.3.3**

**Petitioner: Matthew Galezowski**

The petitioner was previously in front of the Board on January 4, 2022, seeking a variance from 524 CMR 35:00 §2.8.3.3, to install sprinklers in the elevator shafts and control rooms, to comply with CMS mandate and avoid denial of payment for admissions. On October 7, 2021, the Department of Public Health, Division of Health Care Facility Licensure and Certification completed a survey of Melrose Healthcare and concluded that they will be recommending to the Centers for Medicare and Medicaid Services (CMS) that Melrose Healthcare's participation in the Medicaid and Medicare programs will be terminated on April 7, 2022, unless the facility has achieved substantial compliance by November 14, 2021. The petitioner's representative stated that CMS has not issued a violation at this time and did not present any information that supported the claim that sprinklers were required. A motion was made Christopher Towski to place the petitioner's request on hold for additional information from the petitioner. The motion was seconded by David Gaudet.

**Motion:** Christopher Towski

**Seconded:** David Gaudet

**Vote: 6-0; Placed on hold.**

Roll Call Vote:

• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

2. **472 West Broadway – Boston, MA [Exhibit 2]**

**New Installation**

**524 CMR §26.07**

**Petitioner: Ryan Astrup**

The petitioner was in front of the Board seeking a variance from 524 §26.07 – Protection at Other Levels. The petitioner is proposing to install a 10 car semi-automated, two lift

slide system 2H1D2W at the above address. The variance being requested is due to the Park Plus machine will not have dividers or ropes 42” high between parking cubicles. Operation of the system would be impossible if dividers were installed between parking cubicles. Park Plus will provide a photoelectric sensor mounted at 42” high model: Datalogic S62-PA-5-B01-PP or equivalent, mounted on the rear leg between spaces with a 3” reflector mounted on the gates. The parking system will not operate if an object or person is detected between platforms prior to moving. There will be sliding segmented gates at the front, as opposed to a lift gate and the control room will be labeled and keyed in accordance with 524 CMR Section 35.00. The Board members questioned the petitioner’s representative about the gate being code compliant and informed the petitioner there were discrepancies in the submittal from what the petitioner’s representative was testifying. Mr. Morse asked about safety within the system when the unit is running. A motion was made by Neil Mullane to place the petitioner’s request on hold for no more than 60 days (March 19, 2022), so the petitioner may provide the Board with more information and to revise the variance request and then for the board to review at the next earliest meeting. The motion was seconded by Christopher Towski.

**Motion:** Neil Mullane

**Seconded:** Christopher Towski

**Vote: 6-0; Placed on hold for 60 days.**

Roll Call Vote:

• Eric Morse	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• David Gaudet	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Christopher Towski	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Neil Mullane	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Thomas McDermott	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay
• Brian Ronan	<input checked="" type="checkbox"/> yea	<input type="checkbox"/> nay

The Board recessed at 2:42 p.m. and resumed at 2:50 p.m.

- Next, the Board continued discussion regarding a possible safety/code issue for emergency services utilizing Fireman’s Service Phase II. Representatives from the Elevator Industry were present and offered information to the Board regarding the matter. Some representatives requested that the Board consider extensions on units and others requested not to modify the hardware of older units. A representative from Otis stated that the Elevator Contractor will have a software solution by the end of January.

The meeting minutes from October 6, 2021, October 19, 2021, and October 26, 2021 were unavailable for the Board to review.

**Motion to Adjourn:** Christopher Towski

**Seconded:** Brian Ronan

**Vote: 6-0; Adjourned.**

Hearing concluded at 4:00 p.m.

Prepared by: Ruthy Barros

**Exhibit List:**

- Exhibit 1: Variance packet for 40 Martin Street, Melrose
- Exhibit 2: Variance packet for 472 West Broadway, Boston